



Stat. of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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November 7, 2002

CERTIFIED RETURN RECEIPT
7099 3400 0016 8895 4784

Alex C. Boulton
Brush Resources, Inc.
P.O. Box 815
Delta, Utah 84624

Re: Formal Approval of Form and Amount of Replacement Reclamation Surety, Brush Resources, Inc., Topaz Mine, M/023/003, Juab County, Utah

Dear Mr. Boulton:

On November 6, 2002, the Director of the Division of Oil, Gas and Mining formally approved the form and amount of replacement reclamation surety for Brush Resources Inc.'s (Brush) Topaz mine. On September 4, 2002, we received notification that Brush's \$500,000 surety bond issued by Western Surety was going to be cancelled effective November 20, 2002.

After Brush requested and was subsequently granted approval to withdraw the amendment to expand into the Rainbow #2 and Section 16 S#1 sites, Brush posted a \$311,300 Letter of Credit #SCL008327 issued by National City Bank of Cleveland, Ohio as reclamation surety for the disturbed area originally approved prior to the Division receiving the amendment. Brush will not expand into any new areas at this time. A Reclamation Contract was received on October 29, 2002 which is tied directly to the reclamation surety for the Topaz Mine project.

The Division hereby grants its final approval of the replacement reclamation surety for the Topaz Mine. You are only authorized to continue your mining operations in the originally approved 203 acre area as identified in the Reclamation Contract.

Enclosed please find copies of the fully signed and executed Reclamation Contract and the \$311,300 Letter of Credit for your files. We have also enclosed the original Reclamation Contract (effective date of January 3, 2001) and the \$500,000 Western Surety Company bond #69094538 w/rider for your disposal or return to the surety company.

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Alex C. Boulton
M/023/003
November 7, 2002

Thank you for your help in finalizing this permitting action. Please call me or Tom Munson if you have any questions in this regard.

Sincerely,

A handwritten signature in black ink that reads "D. Wayne Hedberg". The signature is written in a cursive style with a large, stylized "D" and "H".

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Enclosures: Copy of RC & LOC, Original RC & surety
cc: Susan Callister, Brush Resources
John Blake, SITLA w/RC & LOC
O:\M023-Juab\m023003-topaz-brush\draft\approve-replace-surety.doc